

## Article - Local Government

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§26–1001.

(a) A person who is assessed for a ditch or drain that does not pass through or on the person's land may open a ditch or install drain tile through the intervening land to connect to the main ditch and keep the ditch or drain tile open at the person's expense and control.

(b) A person may not open a ditch or install drain tile through the land of another person without the consent of the owner of the land, unless the damages to the land accruing to the owner of the land are assessed by three owners of land appointed by the county commissioners or county council to assess the damages.

(c) A person seeking to open a ditch or install drain tile under this section shall:

(1) pay the costs of laying out and opening the ditch or drain; and

(2) pay all damages awarded to any person who is injured by the ditch or drain before making the ditch or drain.

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